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May 19, 2021

VIA ECF

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Honorable Gregory H. Woods, U.S.D.J.
United States District Court, S.D.N.Y.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSED

Re: El Bey v. CubeSmart Self Storage et al.
Action No.: 1:20-cv-00521-GHW
Our File No.: 24634

Dear Judge Woods:

This office represents the defendant, CubeSmart L.P. s/h/a CubeSmart Self Storage, CubeSmart Store 0558, and CubeSmart Corp. with respect to the above referenced matter.

By way of this letter, CubeSmart hereby withdraws its pending motion to compel this matter to arbitration.

Jointly, the parties agree that the next step in this action is for the defendant to respond to the plaintiff's complaint. As Carlton Fields has appeared as pro bono counsel to plaintiff for the limited purpose of responding to matters related to CubeSmart's motion to compel arbitration, it is our understanding that withdrawal of the motion will terminate Carlton Fields' limited representation and plaintiff will proceed with this action *pro se*.

Defendant respectfully request that the time for the defendant to file a response to the Complaint be extended for 30 days.

Thank you for your attention in this regard.

KERLEY, WALSH, MATERA & CINQUEMANI, P.C.

Hon. Gregory H. Woods, U.S.D.J.
May 19, 2021
Page 2 of 2

Respectfully submitted,

/s/ Johan A. Obregon
JOHAN A. OBREGON

JAO/ms

Application granted. Defendants have withdrawn their motion to compel. The deadline for Defendants to answer or otherwise respond to Plaintiff's complaint is extended to June 21, 2021.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 40.

SO ORDERED.

Dated: May 20, 2021
New York, New York



GREGORY H. WOODS
United States District Judge